

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
1998 Biennial Regulatory Review --) WT Docket No. 98-182
47 C.F.R. Part 90 - Private Land Mobile) RM-9222
Radio Services)

OPPOSITION TO PETITION FOR RECONSIDERATION

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Date: July 7, 2003

Regarding: PRSG Petition for Reconsideration Dated November 12, 2002

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I. BACKGROUND OF THE COMMENTER.

1. I am both a MURS user, and potential MURS-related product producer (DBA PubCel in the State of California). I hold an Extra Class Amateur Radio license (callsign N0MH5). I have a BS in Computer Science from San Diego State University (1983). I have been employed in the military aerospace industry as a Systems Engineer for over 20 years; where one of my principle job functions is the design and implementation of RF-based communications systems. I am also the moderator of the online MURS-OPEN Yahoo Group: <http://groups.yahoo.com/group/MURS-OPEN>, which has a fast-growing membership that currently includes approximately 700 individuals.

II. GENERAL OBJECTIONS.

2. Since the creation of MURS in November, 2000, the MURS user-community has proven to be a law-abiding segment of the radio-using public. The MURS Service provides tens of thousands of small businesses and individuals with reliable short-range voice and data communications on a daily basis. Much to the consternation of a certain segment of vocal non MURS-users, who predicted all sorts of gloom-and-doom scenarios in regards to the creation of MURS, the MURS service has not turned into "another CB". Yet it seems that this group of individuals just won't be happy until the MURS rules are modified to make it so that MURS users can be labeled as lawbreakers, or so that radio manufacturers can't economically produce MURS radios.
3. Through mechanisms involving the use of the media, public forums, and the FCC reconsideration process, a few individuals have subtly attempted, and in many cases succeeded, in inserting a certain aura of fear, uncertainty, and doubt among potential MURS users and potential MURS radio manufacturing community. The apparent intention of this process is to limit and dissuade the use of the MURS service, as well as to stifle the manufacture of MURS radios and MURS-related products. As both a MURS user, and potential MURS-related product producer, I would ask that the commission help reign in these tactics by rejecting the proposals outlined in PRSG's request for reconsideration; giving thorough consideration to the negative impacts of the implementation of any of these proposals (the biggest of which is the effect of making any rule change at all). It is important to state that MURS users need to know that the MURS rules are not going to continue changing on a never-ending basis - otherwise they cannot feel confident in making investments in MURS products. By the same token, MURS manufacturers need to know the rules will be stable and make good economic sense, before they can commit to a long product-development process.

III. SPECIFIC OBJECTIONS.

A. Item 1 of PRSG Petition - The Language of the Memorandum Opinion and Order and Second Report and Order Pertaining to Network Interconnection Is Imprecise and Antiquated.

4. The MURS rules already contain wording that prohibits the use of the type of voice-relay system described in the PRSG petition. MURS is a service designed for "short range communication". Any individual attempting to implement an Internet-based relay portal allowing a remote user to key a radio from a location that was hundreds, or even thousands, of miles away, would obviously be violating the express purpose of the MURS service. Since the existing MURS rules already address the issue at hand, there is no need to modify the existing MURS regulations (continuous and flippant modifications of MURS rules can have wide-ranging and unintended consequences, as was described in more detail in my opening statement).
5. Any problems related to the issues described in the PRSG petition regarding this particular item, have not presented themselves on MURS, nor on any of the other Personal Radio Services. As the makeup of the MURS user segment is fairly similar to that found all of the other Personal Radio Services, it is unclear why the MURS service needs to be treated any differently than other services, such as CB, FRS, and GMRS. Currently, the MURS rules use the same wording used in the rules for all of the other Personal Radio Services regarding the subject of network interconnection. There is nothing significantly different about MURS from any of the other services.
6. This issue is quite complicated in nature (as can be deduced from the length of the PRSG comments). It is feared that any attempt to implement an unneeded fix for this non-existent problem, might have wide-ranging and unintended consequences that would impede legal and fair usage of the service, as well as stifle innovation.

B. Item 2 - New Equipment Standards Would Permit Expansion of Performance Requirements That Would Enhance Rules Compliance.

7. Due to the nature of the MURS service (small user base, only 5 available channels, low radio cost and profit margin), there is currently an extremely sparse selection of MURS radios for the public to choose from, and implementing such a regulation will only make this situation worse. Forcing MURS manufacturers to implement special and potentially confusing features, specifically for the MURS service, makes no sense from an economics of development point of view. The vast majority of potential MURS radio manufacturers will simply elect not design new MURS radios, and any new MURS radio designs already in the development cycle will be put in jeopardy. Additionally, a rule change of this nature at the present time, will only add to the existing perception that the MURS rules are constantly changing, and that it makes no economic sense to design a radio for MURS, as PRSG will simply come along and come up with another regulation to make the radio illegal and pull the rug out from underneath the manufacturer.

C. Item 3 - Licensees Previously Granted Privileges That Exceed Those Permitted Under the New Rules Should Continue To Be Licensed and Required To Identify by FCC-Assigned Callsign.

8. A quick review of the FCC database will show that any previous licenses granted for these frequencies are for low-power (2W and under), or extremely low-power (100mW) stations. Do we really need to require the ten's of thousands of workers at the thousands of businesses like McDonald's, Burger King, and Wal-Mart to be required to identify their transmissions every so many minutes?

IV. CERTIFICATION.

I certify that on this date (July 7, 2003), I have sent a copy of these comments to the following party:

Corwin D. Moore, Jr.
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[sent electronically by petitioner's permission to: prsg@provide.net]"